

**CHAPTER 10**  
**HEALTH AND SAFETY**

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## Part 1

### Public Nuisances

§101. Title. This Part shall be known as the "Logan Township Nuisance Ordinance." (Ord. 6-69, 6/5/1969, §1)

§102. Definition. "Public Nuisance" is the doing of or failure to do something that injuriously affects safety, health or morals of the public, or works some substantial annoyance, inconvenience, discomfort or hurt to the public. (Ord. 6-69, 6/5/1969, §2)

§103. Nuisance Prohibition. No person, persons, corporation, partnership, association or any entity whatsoever, shall cause, continue, maintain or permit to exist a public nuisance, on private or public property in Logan Township, Blair County, Pennsylvania; including but not limited to, accumulations of garbage and rubbish, storage of abandoned or junked automobiles, carrying on of any offensive manufacture business, permitting a dangerous building or structure to exist; or failing to remove or safely maintain an unused or abandoned septic tank or well, and provided that such act or omission constitutes a nuisance in fact. (Ord. 6-69, 6/5/1969, §3)

#### §104. Remedies and Penalties.

1. Removal by Township. In the event an owner and/or occupant of any premises violates §103 of this Part by causing, maintaining or permitting to exist a public nuisance on said premises, the Township may give or cause to be given written notice to said owner and/or occupant to remove or abate said public nuisance. The notice shall state that unless the said public nuisance shall have been removed or abated within such reasonable time as specified therein (but not less than ten (10) days) after the giving of notice, the Township may remove or abate such public nuisance or cause it to be removed or abated at the cost and expense of said owner and/or occupant. The Township is hereby authorized to collect the cost of such removal or abatement, from the owner and/or occupant in the manner provided for the collection of municipal claims or by an action of assumpsit without the filing of a claim and/or by whatever other legal proceeding the Township may choose to institute. Nothing herein shall prevent the Township from also enforcing violation of this Part in criminal summary proceedings or provided herein. (Ord. 9-19-96; as amended by Ord. 2-13-97)

#### 2. Enforcement and Penalty.

A. Enforcement. Any police officer, the Building Permit Clerk and/or any person authorized by the Board of Supervisors may enforce the violation of this Part.

B. Penalty. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred and no/100 (\$100.00) Dollars and not more than One Thousand and no/100 (\$1,000.00) Dollars plus the cost of prosecution, and/or be sentenced to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate and distinct offense which shall be subject to the aforesaid penalties.

(Ord. 9-19-96; as amended by Ord. 2-13-97)

3. Equitable Proceedings. The Board of Supervisors may institute proceedings, in the name of Logan Township, in the Civil Division of the Court of Common Pleas of Blair County for equitable relief in enforcing the provisions of this Part.

4. Election. The Board of Supervisors may, in their discretion, utilize any one or more of the above provisions and the use of any one provision shall not constitute an election or bar to the use of any other provision.

(Ord. 6-69, 6/5/1969, §4; as amended by Ord. 10-27-88, 10/27/1988; and by Ord. 9-19-96, 9/19/96, §2; and by Ord. 2-13-97, 2/13/97, §2)

## Part 2

### Chemical and Hazardous Substance Clean-Up

§201. Short Title. This Part 2 shall be known as "The Township of Logan Chemical and Hazardous Substance Clean-Up Ordinance." (Ord. 6-28-90, 6/28/1990)

§202. Definitions. As used in this Part, the following words shall have the meaning so ascribed:

CHEMICAL - any element, substance, chemical compound or mixture of elements, substances or compounds, but shall not include an article as defined in 35 Pa. Stat. Ann. §7301 et seq., food, drugs or cosmetics as defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. §301 et seq.), cosmetics, tobacco or products which are primarily intended for sale on the retail market to the general public and are sealed in the packages to be used therewith.

COMMON CARRIER - any type of transportation used to carry chemicals and/or hazardous substances through, over, or within the Township of Logan, including, but not limited to, pipelines, railroads, airlines, trucks and/or automobiles.

HAZARDOUS SUBSTANCES - any chemical or mixture defined as hazardous under Pennsylvania's Worker and Community Right-to-Know Act. For the purposes of this Act, any hazardous mixture is a hazardous substance. Hazardous substance shall also include any substance listed as such under any Federal statute and/or regulation.

OWNER - the actual owner, agent or custodian of the common carrier used to transport chemical and/or hazardous substances, and/or the actual owner, agent or custodian of the chemical and/or hazardous substance being transported or stored within, through or over any part of the Township of Logan.

PERSON - every natural person, association or corporation. The term "person" as applied to association, shall include the responsible members or general partners thereof, and as applied to corporation, the officers thereof.

(Ord. 6-28-90, 6/28/1990)

§203. Liability for Transporting and Storage. Any person, owner or lessee storing, either temporarily or permanently, and/or transporting, by any manner including by common carrier, chemicals

and/or hazardous substances within, through or over any part of the Township of Logan shall be liable to the Township of Logan and/or its Police Department and/or its various volunteer fire companies to control, extinguish and/or contain spills, leaks, fires or accidents involving said materials. (Ord. 6-28-90, 6/18/1990)

§204. Assessment of Costs. The costs involved in the clean-up of spills, leaks, fires or accidents, including assistance calls by the Township of Logan and/or its Police Department and/or its various volunteer fire companies, shall be assessed to the person, including but not limited to an owner, transporting and/or storing said chemicals and/or hazardous substances. Said costs shall include payment of special equipment and/or materials and/or labor including, but not limited to, the following:

A. Special chemical protective clothing (i.e. disposable fully encapsulating chemical suits, reusable butyl rubber splash and flash suits, breathing apparatus, etc.).

B. Foam, dry chemical extinguishing agent, and/or any material used to control and/or extinguish a fire in said material and/or incidents.

C. Absorbent material (i.e. sand, sawdust, clay, absorbent pigs, earth, etc.).

D. Any other equipment and/or material deemed necessary by the Police and Fire Coordinator of the Township of Logan or said Coordinator's designated representative.

E. Wages, including fringe benefits paid by the Township of Logan to all Township employees involved in the clean-up of spills, leaks, fires or accidents mentioned herein.

(Ord. 6-28-90, 6/28/1990)

§205. Procedure for Payment. Bills for the amount of the above-described costs shall be prepared by the Township Manager for labor cost and/or special equipment for all Township employees and/or by Fire Chief or Chiefs of the particular volunteer fire company and/or companies involved for all special equipment used in the clean-up of said spills, leaks, fires and/or accidents. Bills prepared by the Fire Chief or Chiefs shall be forwarded to the Logan Township Police and Fire Coordinator for review, revision and written approval. Upon said written approval by the Police and Fire Coordinator given to the respective Fire Chief or Chiefs, the Fire Chief or Chiefs shall forward the said bill to the above described liable person, owner or lessee. Bills prepared by the Township Manager shall be forwarded directly to the above-described liable person, owner or lessee. Payment must be made in full within thirty (30) days from the date of making said bill or bills and in default thereof, the Township Manager or, as the case may be, the Fire Chief or Chiefs shall notify the Logan Township Police and Fire Coordinator who in turn shall institute collection litigation through the Township Solicitor and/or criminal prosecution. (Ord. 6-28-90, 6/28/1990; as amended by Ord. 9-19-96, 9/19/96, §2; and by Ord. 2-13-97, 2/13/97, §2)

§206. Enforcement and Penalty.

1. Enforcement. Any police officer, the Building Permit Clerk and/or any person authorized by the Board of Supervisors may enforce the violation of this Part.

2. Penalty. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred and no/100 (\$100.00) Dollars and not more than

One Thousand and no/100 (\$1,000.00) Dollars plus the cost of prosecution, and/or be sentenced to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate and distinct offense which shall be subject to the aforesaid penalties.

(Ord. 6-28-90, 6/18/1990; as amended by Ord. 9-19-96, 9/19/96, §2; and by Ord. 2-13-97, 2/13/97, §2)

## Part 3

### Noise Nuisance

§301. Purpose and Scope. It is the purpose and scope of this Part 3 to provide regulations defining the maximum sound levels that vehicles, appliances and equipment shall be allowed to produce at specified distances from these devices, and also to provide for the prohibition of other kinds of prohibited noises. These regulations and prohibitions are intended to protect the physical, mental and social well-being of the residents of the Township of Logan and to foster mutual respect among residents with regard to living and working environments being free of noise pollution. (Ord. 12-22-94B, 12/22/94, §1)

§302. Application. This Part shall apply:

1. To all types of vehicles, appliances, animals and equipment, whether privately or publicly owned.
2. To sounds of any time duration.
3. To both the owner and operator of vehicles, appliances, equipment, devices, animals or any other object creating noises.
4. The provisions of this Part are not intended to interfere with, abrogate or annul other rules, regulations or ordinances, including Title 18 (Crimes Code) and Title 75 (Vehicle Code), Pennsylvania Consolidated Statutes. If more stringent requirements concerning noise abatement are contained in the other rules, regulations or ordinances, the more stringent regulation shall apply.

(Ord. 12-22-94B, 12/22/94, §2)

§303. Exemptions. The following devices are exempt from the provisions of these regulations:

1. Aircraft (except model aircraft).
2. Police, fire, ambulance and other governmental emergency vehicles.
3. Back-up alarm devices on trucks and other equipment when installed and operated in accordance with Society of Automotive Engineers recommended practice J 994, "CRITERIA FOR BACK-UP ALARM DEVICES."
4. Governmental warning devices (i.e., civil defense and fire siren).
5. The provision, repair and maintenance of municipal services or public utilities.
6. Bells, chimes and carillons used for religious purposes or in conjunction with national celebrations or public holidays; existing bells, chimes and carillons that are currently in use for any purpose.
7. Appliances, lawn and garden equipment, snow removal equipment and household power tools in use between the hours of 7:00 a.m. (prevailing time) and 9:00 p.m. (prevailing time) provided such are

operated within the manufacturer's specifications and with all standard noise reducing equipment in use, unmodified, and in proper operating condition.

8. Air conditioners, fans, heating units and similar devices, provided such are operated within the manufacturer's specifications and reasonable measures are taken to reduce noise levels as approved by the Noise Enforcement Officer.

9. Motor vehicles regulated by other rules, regulations or ordinances.

10. Musical, recreational and athletic events conducted by schools or local government.

11. Activities permitted by special waiver, as provided herein, according to the terms and conditions of said waiver; activities conducted in accordance with a special activity permit approved by the Board of Supervisors of Logan Township.

(Ord. 12-22-94B, 12/22/94, §3)

**§304. Definitions.** All acoustical terminology shall be that contained in ANSI S1.1 "Acoustical Terminology." All other words not defined herein shall be used with a meaning of standard usage. Words used in the present tense include the future tense; the singular number includes the plural and the plural number includes the singular; words of masculine gender include feminine gender and words of feminine gender include masculine gender; the word "includes" or "including" shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character; the words "shall" and "must" are mandatory; the words "may" and "should" are permissive; the words "used" or "occupied" include the words "intended, designed, maintained or arranged to be used or occupied."

ANSI - American National Standards Institute or its successors.

APPLIANCE - any device or combination of devices used or capable of being used as a means of accomplishing a desired end, such as a window air conditioning unit.

DAY - the twenty-four (24) hour period starting at local midnight.

DAY-TIME - 6:00 a.m. to 6:00 p.m. from October 1 to March 31 and 6:00 a.m. to 9:00 p.m. from April 1 to September 30.

DECIBEL (dB) - a unit of sound level which is a division of logarithmic scale used to express the ratio of the sound intensity of the source of the intensity of an arbitrarily chosen reference intensity. The ratio is expressed on the decibel scale by multiplying its "base ten logarithm" by ten.

EQUIPMENT - any devices or combination of devices to accomplish a desired end, such as a chain saw, bulldozer, etc.

EXCESSIVE NOISE - excessive noise is that sound which is (1) injurious or which unreasonably interferes with the comfortable enjoyment of life and property. Measured noise levels in excess of limits established in these regulations or those specified in valid permits are declared to be excessive noises; (2) annoying to a person of ordinary sensibilities.

**FLUCTUATING NOISE** - a fluctuating noise is a noise whose sound level varies significantly with time.

**IMPULSIVE NOISE** - impulsive noise is characterized by brief excursions of sound level. The duration of a single impulse is usually less than one second.

**INTERMITTENT NOISE** - an intermittent noise is a noise whose sound level exceeds the ambient noise levels at least twice during the period of observation, which is one minute or more. The period of time during which the level of the noise remains at an essentially constant value different from that of the ambient is on the order of one second or more.

**NOISE** - noise is any sound emitted by a person, animal, vehicle, appliance, equipment or other device and its environmental interaction.

**ORDINANCE ENFORCEMENT OFFICER** - any person appointed by the Township of Logan with responsibility to enforce municipal ordinances and/or, any sworn member of the Township of Logan Police Department.

**PARTY** - A social gathering.

**PERSON** - either the owner or operator of vehicles, appliances, equipment or devices whether an individual, firm, association, organization, partnership, trust, company, corporation or any other similar entity.

**PERIOD OF OBSERVATION** - the time interval during which acoustical data are obtained. The period of observation is determined by the characteristics of the noise being measured and the instrumentation being used. The period of observation must be at least as long as the response time of the instrumentation. The greater the variance in individual sound level, the longer must be the observation time for a given expected accuracy of measurement.

**S.A.E.** - Society of Automotive Engineers.

**SOUND LEVEL (Noise level)** - airborne sound levels are expressed in dB and obtained by the use of specific frequency dependent weighing networks, as specified in the referenced standards.

The specific weighing network used must be indicated by the proper notation. If the A-weighting is employed, the sound level is identified as dB(A).

**SOUND LEVEL METER** - a sound level meter is an instrument, or combination of instruments, which meets or exceeds the requirements for an ANSI Type S1A or Type S2A Sound Level Meter.

**STEADY NOISE** - a noise whose level remains essentially constant (i.e., fluctuations are less than five (5) dB) during the period of observation is a steady noise.

**VEHICLE** - any device, or combination of devices, used for or capable of being used for transporting persons or property. Vehicles include, but are not limited to, the following:



automobiles, trucks, buses, motorcycles, motorized bicycles, snowmobiles, scooters, all-terrain vehicles, go-carts, racers and like devices, farm machinery, industrial machinery, highway graders, trailers, graders and semi-trailers.

(Ord. 12-22-94B, 12/22/94, §4)

§305. Enforcement.

1. Abatement. Any emission of noise from any source in excess of the limitation established in or pursuant to this Part herein described shall be deemed and is hereby declared to be a public nuisance and may be abated, in addition to the administrative proceedings, fines and penalties herein provided. Such abatement may be made by any Ordinance Enforcement Officer, including Township police officers, and/or may be made by order of the Court of Common Pleas of Blair County on complaint or petition filed on behalf of the Township of Logan.

2. Nothing in this Part shall be construed to impair any cause of action, or legal remedy thereof, of any person or the public for injury or damage arising from the emission or release into the atmosphere or ground from any source whatever of noise in such place or manner, or at such levels which may give rise to such cause of action.

3. The Noise Enforcement Officers of the Township of Logan shall:

A. Be qualified by training and experience to perform the necessary measurements and procedures required to determine violations of the provisions of this Part.

B. File complaints with the District Justice to prosecute any violation of this Part.

C. Investigate complaints of violations of this Part and make inspections and observations of noise conditions; and

D. May issue a warning to persons considered in violation of these regulations, a warning which may allow an appropriate time not to exceed thirty (30) calendar days for correction to bring the offending vehicle(s), appliance(s), equipment or other device(s) within the provisions of these regulations before enforcement by prosecution.

(Ord. 12-22-94B, 12/22/94, §5)

§306. Administration. The Township of Logan shall:

1. Prepare and maintain records of all orders issued by the Noise Enforcement Officers and the Appeals Board.

2. Issue all standards, permits, certificates, notices and other matters required under the provisions of this Part and notify all persons concerned of any decisions rendered and provide such persons with an opportunity to be heard (as herein set forth).

3. Be permitted to issue a temporary waiver from strict compliance with the noise standards specified herein to persons during emergency circumstances, as determined by the Township Manager, to

permit reasonable time to effect repairs and/or adjustments to equipment, appliances, instruments and other sound-emitting devices which, when in use, exceed the noise level limits, provided that the use of such devices shall be essential to preserve and protect health and safety or to comply with other lawful rules, regulations and ordinances.

(Ord. 12-22-94B, 12/22/94, §6)

§307. Appeals Board. An Appeals Board is hereby established consisting of the Board of Supervisors to hear and decide cases regarding interpretations of this Part and variances for undue hardship situations which may be granted in the sole and absolute discretion of said Board. (Ord. 12-22-94B, 12/22/94, §7)

§308. Noise Limitations.

1. General. No person shall make, create, permit or cause to be made or created, any excessive noise of any kind by crying, calling or shouting, or by means of any whistle, rattle, bell, gong, clapper, hammer, drum, horn, hand organ, mechanically-operated piano, other musical instrument, wind instrument, mechanical devise, radio, phonograph, sound amplifying or other similar electronic device unless said person has obtained a permit from the Township as provided in Section 308(10) herein.

2. Musical Instruments. No person shall use or perform on any hand organ or other musical instrument or device, in any public way or public open space of the Township unless said person has obtained a permit from the Township as provided in Section 308(10) herein.

3. Noise from Premises. No person owning, or in possession or control of any building or premises, shall use the same, permit the use of the same, or rent the same to be used for any business or employment or residential use, or for any purpose of pleasure or recreation, if such use shall, by its boisterous nature, disturb or destroy the peace of the neighborhood as measured at or about the boundaries of the lot nearest to the source of the alleged violation.

4. Equipment Noise. It shall be unlawful for any person to use any pile driver, shovel, hammer, derrick, hoist, tractor, roller or other mechanical equipment operated by fuel or electric power in building or construction operations, including but not limited to road construction, from 8:00 p.m. to 7:00 a.m. of the following day, except as provided herein unless such equipment has been manufactured or modified for sound control and meets the provisions of this Part.

5. Noise in Handling Refuse Cans. No person shall make any excessive noise in the handling of ash, trash and garbage cans, either in loading or unloading, whether full or empty.

6. Noise in Vicinity of Hospitals, Schools and Churches. No person shall make any excessive noise in the vicinity of any hospital, or church during hours of public worship, or school during school hours.

7. Unlawful to Keep Noisy Animals. No person shall keep, or permit to be kept, harbor, or otherwise maintain any animal which shall disturb the quiet of any public street or other public place, or of any neighborhood. Provided, however, that a noisy animal shall be defined as one or more animals which makes noises habitually, so as to constitute annoyance to a person of ordinary sensibilities.

8. Noise by Peddlers. No peddler or other person who plies a trade or calling of any nature on the streets of the Township shall use any horn, bell, or other sound instrument to make any noise tending to disturb the peace and quiet of the neighborhood, for the purpose of directing attention to his wares, trade or calling.

9. Use of Horns and Other Devices on Vehicles. No person, operating any vehicle, other than police, fire, public service or ambulance operators shall sound any horn, bell, gong, siren, or whistle, except for the ordinary horn installed on such vehicle by the manufacturer, or sound any type of horn except when reasonably necessary to prevent accidents or to otherwise comply with the law of motor vehicles.

10. The operational performance standards established by this Part shall not apply to any public performance being conducted in accordance with provisions of a permit obtained from the Township for the conduct thereof.

11. Vehicles.

A. Operation on Publicly Owned Streets and/or Roads. No person shall operate a motor vehicle, except as provided herein at any time or under any condition of grade, load, acceleration or declaration in such a manner as to exceed the following noise limits for the category of motor vehicles based on a distance of fifty (50) feet from the center of the lane traveled or within the speed limit specified in this section under test procedures established by Section 310 of this Part.

Type of Vehicle	Speed Limit of 35 MPH or less	Speed Limit of 35 MPH or more
(1) Any motor vehicle with a manufacturer's gross combination weight rating of 10,000 lbs. or more and any combination of vehicles towed by such motor vehicle:	86 dB(A)	90 dB(A)
(2) Any other vehicle or any combination of vehicles towed by such motor vehicle:	76 dB(A)	82 dB(A)
(3) Any motorcycle or motor driven cycle:)	78 dB(A)	82 dB(A)

1. This section applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of this code relating to motor vehicle mufflers for noise control.

2. No person shall modify or change the exhaust muffler, intake muffler or any other noise abatement device of a motor vehicle so that the noise level is increased above

that emitted by the vehicle as originally manufactured. Procedures used to establish compliance with this paragraph shall be those used to establish compliance of a new motor vehicle with the requirements of this Part.

3. No person shall sell or lease or offer for sale or lease a new or second-hand vehicle that produces a maximum noise exceeding the noise limit a distance of fifty (50) feet from the centerline of travel as stated in §308(11) of this Part. The manufacturer, distributor, importer or designated agent shall if requested certify in writing to the Township that his vehicles sold or leased within the township comply with the provisions of this Part.

B. Operation of Vehicles Off Publicly Owned Streets or Roads. No person shall operate a vehicle off a publicly owned street if such use shall disturb or destroy peace and quiet of the neighborhood.

## 12. Equipment.

A. No person shall operate any powered equipment or powered hand tool that produces a maximum noise level exceeding the following noise limits at a distance of fifty (50) feet, under test procedures established by Section 10 of this Part.

Type of Equipment	Noise Limit
(1) Construction and industrial machinery, such as crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, pavement breakers, compressors and pneumatic power equipment, but not including pile drivers:	86 dB(A)
(2) Powered commercial equipment of 2HP or less intended for infrequent use in residential areas, such as chain saws, pavement breakers, log chippers, powered hand tools, etc.:	84 dB(A)

B. No person shall sell or lease or offer for sale or lease new or second-hand equipment that produces a maximum noise exceeding the noise limit at the distance of fifty (50) feet as stated in Section 308(12)(A) above. The manufacturer, distributor, importer or designated agent shall if requested certify in writing to the Township that his equipment sold or leased within the Township complies with the provisions of this Part.

(Ord. 12-22-94B, 12/22/94, §8)

## §309. Use of Property.

1. Any property use established in a zoning district as defined and designated under the provisions of the Township of Logan Zoning Ordinance shall be such as to comply with the performance standards governing noise set forth hereinafter for the district in which such use shall be located.

2. Noise levels shall be measured in terms of the sound level in dBA using a Sound Level Meter.

3. In all business and industrial zoning districts, at no point on the boundary of any residential zoning district shall the sound level of any individual operation or business, or the combined operations of any person, firm or corporation exceed the dBA levels shown below for the zoning district indicated from 8:00 p.m. to 7:00 a.m. of the following day, as measured under the test procedures established by Section 310(2) of this Part.

Maximum sound levels dB(A) along district boundaries as measured by conventional sound level meters on slow response:

	<u>Residential</u>	<u>Business/Industrial</u>
A-scale levels	55 dB(A)	62 dB(A)

In business zoning districts, all activities involving the production, processing, cleaning, servicing, testing, repair of materials, goods or products, or any property use shall conform with the performance standards stated above, provided that performance standards shall, in every case, be applied at the boundaries of the lot on which any such activities take place, except in such cases where the maximum permitted sound levels may be exceeded at a more distant point.

In residential zoning districts, any property use shall conform with the performance standards stated above for residential district boundaries including, but not limited to, any party as defined herein, provided that performance standards shall, in every case, be applied at the boundaries of the lot on which such use is established, except in such cases where the maximum permitted sound levels may be exceeded at a more distant point.

The maximum sound levels established in this section to be applied to the boundaries of a lot shall not apply to construction sites and emergency operations. Construction site noise levels shall be regulated by Section 308(12) of this Part

(Ord. 12-22-94B, 12/22/94, §9)

#### §310. Test Procedures.

1. Test procedures to determine whether maximum noises emitted by new motor vehicles sold or offered for sale or lease meet the noise limits stated in Section 308(12) of this Part shall be in substantial conformity with standards and recommended practice established by the S.A.E., Incorporated, and the Pennsylvania Department of Environmental Resources as well as the United States Environmental Protection Agency and such other and further standards as may be propounded by the Township.

2. Test procedures to determine whether maximum noises emitted by powered equipment or powered hand tools, sold or leased, or offered for sale or lease, meet the noise limits stated in Section 308(12) of this part shall be in substantial conformity with Standards and Recommended Practices

established by the S.A.E., Incorporated and the Pennsylvania Department of Environmental Resources as well as the United States Environmental Protection Agency and such other and further standards as may be propounded by the Township.

(Ord. 12-22-94B, 12/22/94, §10)

§311. Enforcement and Penalty.

1. Enforcement. Any police officer and/or other person authorized by the Board of Supervisors may enforce the provisions of this Part.

2. Penalty. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than One Hundred and no/100 (\$100.00) Dollars and not more than One Thousand and no/100 (\$1,000.00) Dollars plus the cost of prosecution, and/or be sentenced to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate and distinct offense which shall be subject to the aforesaid penalties.

(Ord. 12-22-94B, 12/22/94, §11; as amended by Ord. 2-13-97, 2/13/97, §1)